

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TODD HARRISON,

Plaintiff,

:

Case No. 3:08-cv-466

-vs-

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

:

TRANSUNION, LLC, et al.,

Defendants.

ORDER WITHDRAWING REPORTS AND RECOMMENDATIONS

On September 24, 2009, the Magistrate Judge ordered Plaintiff to deposit the original of what was labeled Exhibit B-1 to his Objections to the Supplemental Report and Recommendations with Deputy Clerk Phil Butler not later than October 1, 2009, for the reasons set forth in the Order. Plaintiff has now done so. However, the document deposited today consists of four pages, rather than just one as was true of Exhibit B-1¹. Furthermore, because the Clerk has never docketed this document and Plaintiff has not otherwise served it on the Defendants, none of them has received notice of it.

It is accordingly ordered:

1. Plaintiff's Rule 26(A)(1) Initial Disclosures shall be scanned and docketed forthwith;
2. The Report and Recommendations (Doc. No. 60) and Supplemental Report and Recommendations (Doc. No. 71) are withdrawn.
3. If Plaintiff intends for future filings to make service on Defendants through the Court's

¹The top of the first page of Exhibit B-1 bears the legend "Page 1 of 1," but the top of the second page bears the legend "Page 2 of 2," and so forth,

electronic filing system, his certificate of service must reflect that fact and could properly read, if true, "I hereby certify I served the foregoing on the Defendants by filing it with the Clerk for scanning." The form of certificate of service which Plaintiff has been using in which he states "I hereby certify that the foregoing was either electronically filed, mailed by regular mail Postal service, and or hand delivered on this ____ day of ____, 2009" is unacceptably confusing.

September 29, 2009.

s/ **Michael R. Merz**
United States Magistrate Judge